

**FORTY-SEVENTH DAY.**

Senate, Chamber,  
Austin, Texas,  
March 20, 1931.

The Senate met at 10 o'clock, a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Oneal.	

**Absent-Excused.**

Holbrook.	Parr.
Neal.	Pollard.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Small:

S. B. No. 564, A bill to be entitled "An Act amending Article 7263, of the Revised Civil Statutes of 1925 and declaring an emergency."

Read and referred to the Committee on State Affairs.

**Senators Excused.**

Senator Holbrook, illness, on motion of Senator Woodul.

Senator Pollard, important business, on motion of Senator Woodul.

Senator Neal, illness, on motion of Senator Purl.

Senator Parr, important business, on motion of Senator Hornsby.

**Motion to Concur.**

On motion of Senator Stevenson, the Senate concurred in House amendments to S. B. No. 156 by the following vote:

**Yeas—26.**

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Oneal.	Woodward.

**Nays—1.**

DeBerry.

**Absent-Excused.**

Holbrook.	Parr.
Neal.	Pollard.

**Notice of Intention to Call Up Motion.**

Senator Poage gave notice that on next Tuesday he would call up his motion spread on the Journal to print H. B. No. 42 on minority report.

**Motion to Reconsider.**

Senator Purl spread on the Journal a motion to reconsider the vote by which H. B. No. 683 failed to pass.

**Bills Signed**

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bill and resolutions:

H. C. R. No. 36.  
H. C. R. No. 35.  
H. C. R. No. 26.  
H. B. No. 486.

**Motion Withdrawn.**

Senator Purl withdrew his motion spread on the Journal to reconsider the vote on H. B. No. 683.

Senator Patton moved to reconsider the vote by which H. B. No. 683 failed to pass to engrossment.

Senator Hopkins moved to table the motion to reconsider.

The motion to table was lost by the following vote:

**Yeas—7.**

Cousins.	Russek.
DeBerry.	Thomason.
Hopkins.	Woodruff.
Martin.	

**Nays—15.**

Berkeley.	Poage.
Cunningham.	Purl.
Gainer.	Rawlings.
Greer.	Small.
Hornsby.	Stevenson.
Moore.	Williamson.
Parrish.	Woodul.
Patton.	Woodward.

**Absent.**

Beck.	Loy.
Hardin.	Oneal.

**Absent-Excused.**

Holbrook.	Parr.
Neal.	Pollard.

**Motion to Concur.**

On motion of Senator Moore, the Senate concurred in House amendments to S. B. No. 233 by the following vote:

**Yeas—27.**

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Oneal.	

**Absent-Excused.**

Holbrook.	Parr.
Neal.	Pollard.

**Motion to Print.**

Senator Hopkins spread on the Journal a motion to print S. B. No. 225 on minority report.

**Senate Bill No. 302.**

On motion of Senator Williamson, S. B. No. 302 was laid on the table subject to call.

**Messages From The House.**

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives.  
Austin, Texas, March 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolutions:

H. B. No. 368, A bill to be entitled "An Act to amend Article 2592 of the Revised Civil Statutes of Texas of 1925."

S. C. R. No. 25, Inviting the Honorable Harry F. Byrd of Virginia to address the present Texas Legislature.

H. C. R. No. 41, Extending an invitation to Senator Tom Connally to address the present Texas Legislature.

H. C. R. No. 42, Inviting Honorable Charles G. Wood of the United States Department of Labor to address members of the present Texas Legislature on his proposed visit to Texas.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 35, A bill to be entitled "An Act to amend Article 2185 of the Revised Statutes relating to the requisites of the charge of the court to the jury, and to repeal all laws

and parts of laws in conflict with this act, and in declaring an emergency, and providing that this act shall take effect and be in force from and after its passage."

With engrossed riders.

H. B. No. 264, A bill to be entitled "An Act to prohibit the passage of any local or special law applying to one county by reference to population, scholastic or taxable value, without naming the county referred to, requiring notice to be given by publication in the county to be affected, stating the purposes of the act, etc., and declaring an emergency."

With engrossed rider.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to House Bill No. 159, and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Johnson of Morris, Halloway,  
Dwyer, Ford and Martin.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### House Bill Referred.

H. B. No. 368, referred to Committee on State Affairs.

#### Recess.

On motion of Senator Moore, the Senate, at 12:06 o'clock, p. m., recessed until 2:30 o'clock, p. m.

#### After Recess.

The Senate met at 2:30 o'clock, p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

#### Point of No Quorum.

Senator Small raised the point of order that no quorum was present.

The roll call showed a quorum lacking.

The Sergeant-at-arms was instructed to notify absent Senators to ap-

pear in the Senate Chamber. The quorum was completed.

#### House Bill No. 683.

The question recurred upon the motion to reconsider the vote by which H. B. No. 683 failed to pass to third reading.

The motion prevailed by the following vote:

#### Yeas—16.

Berkeley.	Parrish.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Stevenson.
Loy.	Williamson.
Moore.	Woodul.
Oneal.	Woodward.

#### Nays—8.

Beck.	Martin.
DeBerry.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.

#### Absent.

Cousins.	Woodruff.
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#### Absent-Excused.

Holbrook.	Patton.
Neal.	Pollard.
Parr.	

The Chair held that, inasmuch as this bill was not pending business at adjournment Thursday, and as it was a House Bill, upon reconsideration it automatically went over to the calendar on the next House Bill Day, Wednesday, March 25.

#### Senate Bill No. 394.

On motion of Senator Stevenson, S. B. No. 394, was laid on the table subject to call.

#### Senate Bill No. 176.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 176, A bill to be entitled "An Act providing no officer in this State shall receive any fee for any arrest, commitment or conviction of any person violating any State law or city ordinance regulating the driving, use and operation of motor

vehicles over the highways of this State; making exceptions, repealing all laws or parts of laws in conflict herewith."

Read second time.

Senator Williamson raised the point of order that a quorum was lacking. The roll call showed a quorum present.

Senator Purl sent up the following amendments:

Amend S. B. No. 176, by striking from the bill the word "sheriff."

PURL.

Read and adopted.

Amend S. B. No. 176, by adding after the word, "state," in line 16 of the printed bill the following to-wit: "Except a sheriff and his salaried deputies."

PURL,  
WOODWARD.

Read and adopted.

Senator Loy sent up the following amendment:

Amend S. B. No. 176, by striking out the word "elected constables," wherever it appears in this bill.

LOY.

Read and adopted.

Senator Parrish sent up the following amendment:

Amend S. B. No. 176, by adding after the word "state," in line 16 of the printed bill, the following: "from the provisions of this bill all deputy sheriffs and constables in counties of less than 50,000 population."

PARRISH.

The amendment was read.

Senator Moore moved to table the amendment.

Senator Thomason raised the point of order that a quorum was lacking.

The roll call showed a quorum present.

Senator Parrish received unanimous consent to withdraw the amendment.

Senator Moore sent up the following amendment:

Amend Senate Bill No. 176, by adding a new section as follows:

"Section 1A. It shall be unlawful for any sheriff, constable, peace officer, city policeman, mayor or city commissioner, to operate any city automobile pound or permit any officer to tow any automobile to any central municipal or private parking station without the consent of the

owner or duly authorized driver of said automobile," and amend the caption to conform to the body of the bill.

MOORE.

The amendment was read.

Senator Martin raised the point of order that the amendment was not germane.

Senator Martin withdrew the point of order.

The amendment was lost.

The bill was passed to engrossment.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 176 was put on its third reading and final passage, by the following vote:

Yeas—21.

Beck.	Oneal.
Berkeley.	Poage.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Russek.
Greer.	Stevenson.
Hardin.	Thomason.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Loy.	Woodul.
Moore.	

Absent.

Cousins.	Small.
Martin.	Woodward.
Parrish.	

Absent-Excused.

Holbrook.	Patton.
Neal.	Pollard.
Parr.	

Read third time.

Senator Williamson sent up the following amendment:

Amend S. B. No. 176, by adding after the word "or," in line 18, the words "witness fee for the."

WILLIAMSON.

Read and adopted by a two-thirds vote.

Senator DeBerry sent up the following amendments:

Amendment No. 1.

Amend S. B. No. 176, by striking out of the Loy amendment the words "Duly Elected."

DeBERRY.

Read and adopted by a two-thirds vote.

**Amendment No. 2.**

Amend S. B. No. 176, by striking out the words "or any other officer" in line 16, Section 1, page 1.

**DeBERRY.**

Read and lost by the following vote:

**Yeas—5.**

Berkeley.	Oneal.
Cunningham.	Thomason.
DeBerry.	

**Nays—15.**

Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Loy.	Woodul.
Moore.	Woodward.
Poage.	

**Absent.**

Beck.	Parrish.
Cousins.	Small.
Martin.	Woodruff.

**Absent-Excused.**

Holbrook.	Patton.
Neal.	Pollard.
Parr.	

The bill was finally passed by the following vote:

**Yeas—15.**

Beck.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Stevenson.
Hopkins.	Williamson.
Hornsby.	Woodul.
Loy.	Woodward.
Moore.	

**Nays—5.**

Berkeley.	Oneal.
Cunningham.	Thomason.
DeBerry.	

**Absent.**

Cousins.	Small.
Martin.	Woodruff.

**Absent-Excused.**

Holbrook.	Patton.
Neal.	Pollard.
Parr.	

(Pairs Recorded.)

Senator Poage (present) who

would vote yeas with Senator Parrish (absent) who would vote nay.

**Senate Bill No. 264.**

Senator Greer moved to take up S. B. No. 264. The motion was lost by the following vote:

**Yeas—9.**

Greer.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Oneal.	Thomason.
Poage.	

**Nays—11.**

Beck.	Moore.
Berkeley.	Stevenson.
Cunningham.	Williamson.
DeBerry.	Woodul.
Hardin.	Woodward.
Hopkins.	

**Absent.**

Cousins.	Parrish.
Gainer.	Small.
Martin.	Woodruff.

**Absent-Excused.**

Holbrook.	Patton.
Neal.	Pollard.
Parr.	

**House Concurrent Resolution No. 41.**

The Chair laid before the Senate, H. C. R. No. 41, Inviting U. S. Senator Tom Connally to address the present Legislature.

Read and adopted.

**Bills Signed.**

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 12.	H. B. No. 437.
H. B. No. 700.	H. B. No. 537.
H. B. No. 179.	H. B. No. 376.
H. B. No. 671.	H. B. No. 289.

**House Bills Referred.**

H. B. No. 35, referred to Committee on Civil Jurisprudence.

H. B. No. 264, referred to Committee on Civil Jurisprudence.

**Motion to Reconsider.**

Senator Moore spread on the Journal a motion to reconsider the

vote by which H. B. No. 321, failed to pass yesterday.

#### Adjournment.

On motion of Senator Beck, the Senate, at 4:45 o'clock, p. m., adjourned until Monday morning at 10 o'clock.

#### APPENDIX.

##### Petitions and Memorials.

Whereas, Under the Charter of the City of Dallas and under the provisions of Franchises heretofore granted by it to Public Utilities operating within its corporate limits, the City of Dallas, acting through its Board of Commissioners and Supervisor of Public Utilities, has the exclusive power to regulate the rates and service of its Public Utilities; and,

Whereas, For more than fourteen years, under what is known as Service-at-Cost Franchise, and under the watchful and efficient supervision of its Supervisor of Public Utilities, the City of Dallas has maintained friendly and satisfactory relations with its Public Utilities, and has secured efficient service at reasonable rates; and,

Whereas, There is now pending in the Senate of Texas what is known as the Holbrook Bill, which if passed would create a State Commission with original and exclusive jurisdiction over the Public Utilities of this State, including those operating in this city; and in the House of Representatives, the Petsch Bill, which would create a Commission with appellate jurisdiction, and on appeal, with full power to supersede and set aside any order, rule or regulation or system of rates prescribed by the Board of Commissioners of the City of Dallas, and to substitute its judgment therefor; and,

Whereas, It appears that through the passage of either bill the City of Dallas would be deprived of its power to regulate and control the Public Utilities serving this community, and they would be required to contribute a very large sum of money each year to the support of such Commission, which in turn would have to be paid by their patrons and customers living in Dallas; and,

Whereas, The Public Utilities serv-

ing the City of Dallas now contribute an amount in excess of \$40,000.00 per annum for the maintenance of a Supervisor of Public Utilities and his department and any additional tax to support a state commission would place an additional burden upon such utilities which would of necessity be paid by the consumers of Dallas.

Therefore, Be It Resolved By The Board of Commissioners of the City of Dallas:

That we respectfully protest against the passage of either of such bills; and that the Honorable George Purl, Senator from this District, and the respective members of the House of Representatives, representing Dallas County, be, and they are respectfully requested to exercise their best efforts and endeavors to defeat said measures; and, if passed, to exempt the City of Dallas from the operation thereof, and, particularly, to relieve the Public Utilities serving Dallas, and directly under the supervision and control of the Board of Commissioners and the Supervisor of Public Utilities of the City of Dallas, from the financial burden of supporting such commission.

J. WADDY TATE,  
Mayor.

J. C. HARRIS,  
Commissioner of Finance and Revenue.

R. A. WYLIE,  
Commissioner of Sts. and Public Property.

W. C. GRAVES,  
Police and Fire Commissioner.

Washington, D. C.  
March 19, 1931.

Hon. Edgar E. Witt, President of the Senate, and

Hon. Fred H. Minor, Speaker of the House,  
Austin, Texas.

Please convey to the membership of your respective Houses my deep and lasting thanks for the great compliment implied by invitation of both houses to address their membership. There are many historic ties of which Tennesseans are proud. The acceptance of no similar Legislative invitation would give me more if quite so much pleasure. I deeply regret however that several really important and urgent engagements heretofore entered into prevent my accepting your generous invitation.

Again my thanks and best wishes to the membership of your honorable bodies.

CORDELL HULL.

**Committee on Enrolled Bills.**

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 25, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. R. No. 84, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 233, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 156, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 40, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 77, carefully examined and com-

pared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 232, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 110, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, March 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 178, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

**Committee on Engrossed Bills.**

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 185, carefully examined and compared and find same correctly Engrossed.

HARDIN, Chairman.

**Committee Reports.**

Committee Room,

Austin, Texas, March 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 83, A bill to be entitled "An Act amending Article 4690, Chapter 1, Article 5601, Chapter 21, Title 78, Revised Civil Statutes of 1925, by adding thereto Articles 4690a and 5061a, respectively; providing that all fees collected for the examination of insurance companies shall be paid by the companies or persons examined in such a man-

ner as the Commissioner of Insurance shall certify to be just and reasonable and that the assessments therefor shall be made by the Commissioner upon the Insurance companies examined in proportion to assets or resources of such companies; providing for the employment of persons to make such examination; making an appropriation and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but favorable committee substitute do pass in lieu thereof, and be printed.

STEVENSON, Chairman.

Committee Room,  
Austin, Texas, March 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 442, A bill to be entitled "An Act providing that it shall hereafter be unlawful for any person, corporation, insurance company, fraternal organization, burial association or other association to write, sell or issue any certificate, policy, contract or membership maturing upon the death of the person holding same or upon the death of some member of holder's family, if such certificate, policy, contract or membership provides that it is to be paid or settled, or if the plan of such person, corporation, organization or association provides that its certificates, policies, contracts or memberships are to be paid or settled in merchandise or services rendered, or agreed to be rendered, or by furnishing burial materials or burial services, or in discounts on the regular prices of merchandise, burial materials, funeral services or other services, or if such certificate, policy, contract or membership is to be paid at maturity in anything except money; and providing that any person, corporation, insurance company, fraternal organization, burial association or other association violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than ten dollars nor more than two hundred and fifty dollars, each sale of any such policy, contract or membership shall constitute a separate offense; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment.

PURL, Vice-Chairman.

Amend S. B. No. 442, by adding to Section 1, after the word "money," the following: "or bank check, bank draft, or money order."

Committee Room.

Austin, Texas, March 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 375, A bill to be entitled "An Act creating the Division of Child Welfare in the Board of Control; empowering the Board of Control to employ a chief and necessary assistants; prescribing qualification of the chief; defining the duty of the division as to defective, illegitimate, dependent, neglected and delinquent children through enforcement of all state laws in regard thereto; vesting authority for payment of all expenses; providing for county welfare boards and describing their duties; outlining said county board relations to county officers and agencies; describing method to be employed by Board of Control in importation and exportation of minors, declaring penalty for violation of such provision; providing for licensing, visiting and inspection of individuals, agents and institutions handling children; vesting authority in boards as to charter for such purposes; imposing duty Child Welfare Division as to certain eleemosynary institutions and their policies; declaring children receiving aid through the Board of Control as wards of the state and outlining custody and guardianship of same; saving clause, and declaring an emergency."

Have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with Senate committee amendments.

BECK, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, March 19, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, a majority, of your



Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 225, A bill to be entitled "An Act amending Article 689, Chapter 7, Title 11, Revised Criminal Statutes of Texas, 1925, relating to the penalty for the sale, transportation, manufacturing, possession, etc., of intoxicating liquor by repealing that provision of said Article denying the benefits of the suspended sentence law to persons over the age of twenty-five years; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

SMALL, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 19, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 225, A bill to be entitled "An Act amending Article 689, Chapter 7, Title 11, Revised Criminal Statutes of Texas, 1925, relating to the penalty for the sale, transportation, manufacturing, possession, etc., of intoxicating liquor by repealing that provision of said Article denying the benefits of the suspended sentence law to persons over the age of twenty-five years; and declaring an emergency."

Have had the same under consideration, and beg leave to differ from the majority, and to report it back to the Senate with the recommendation that it do pass.

MARTIN,  
HOPKINS.

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 52, A bill to be entitled "An Act to provide for the assertion by suit within five years from the date of the passage of this Act of all claims under any of the limitation statutes of this State of titles acquired by adverse possession, provided, however, that such shall not apply to one claiming such title

where the boundaries of such claim are duly specified in some duly recorded deed or some duly recorded memorandum of title under which such title was matured, nor where such title does not extend beyond the land actually possessed for the period of limitation, and repealing all laws or parts of laws in conflict therewith and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, a majority of your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 51, A bill to be entitled "An Act to amend Articles 5510 and 5513, of the Revised Civil Statutes of 1925 of the State of Texas, relating to title to real estate acquired by limitation, repealing all laws or parts of laws in conflict herewith, and providing that if any part of this Act shall be held invalid, unconstitutional or inoperative, no other part or parts thereof shall be held affected thereby, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 271, A bill to be entitled "An Act to provide a method for more definitely and accurately describing and identifying lands assessed for taxation by having maps or plats of such lands prepared and the lands appropriately numbered or designated thereon, and providing a method of paying for same, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

**SIMPLE RESOLUTION NO. 86.**

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Senator Parrish sent up the following resolution:

WHEREAS, Col. William E. Easterwood, Jr., of Dallas, Texas, has, by virtue of great financial sacrifice and untiring energy, brought about the first East to West Non-stop Transatlantic Flight by Dieudonne Coste and Maurice Bellonte, and has brought the name of Texas before the entire world as a progressive state; and

WHEREAS, The Hon. George "Jimmie" Smith of Snyder, Texas, was very active in the reception of said fliers, and in the reflection of credit on this State by said fliers; now therefore, be it

RESOLVED By the Senate of the State of Texas that this Body commends and congratulates Col. William E. Easterwood, Jr. and the Hon. George "Jimmie" Smith upon this unselfish patriotic service, and that the Journal of the Senate reflect that it was on September 4, 1930, that these outstanding fliers landed on Texas soil; be it further

RESOLVED That a page in the Senate Journal be set aside in their honor, that a copy of this Resolution be spread thereon, and that a copy thereof be transmitted by the Secretary of the Senate to these distinguished gentlemen.

PARRISH,  
PURL,  
MOORE.

Read and adopted.